

United States District Court
Southern District of New York

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IN RE PROSHARES TRUST SECURITIES
LITIGATION

09 Civ. 6935 (JGK)

ORDER

JOHN G. KOELTL, District Judge:

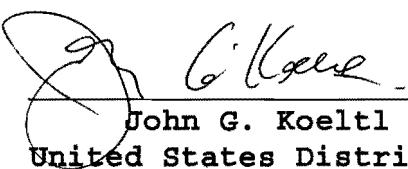
For the reasons stated on the record today, the plaintiffs' motion for leave to amend the second amended complaint is granted. The Clerk is directed to close Docket No. 186.

The plaintiffs' third amended complaint, which was appended to the plaintiffs' motion for leave to amend, is deemed filed and served upon the defendants.

The defendants' motion to dismiss the second amended complaint, as well as the supplemental briefing relating to the motion to dismiss the second amended complaint, is deemed as directed against the third amended complaint. The defendants should notify the Court by November 17, 2011 if they wish to supplement their motion to dismiss. If they do so wish, the parties should agree upon a short briefing schedule for any supplemental briefing.

SO ORDERED.

Dated: New York, New York
November 10, 2011


John G. Koeltl
United States District Judge